

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JACQUELINE BRENNER, on behalf of herself
and all others similarly situated,

Plaintiff,

-against-

J. C. PENNEY COMPANY, INC.,

Defendant.

Civil Action No. 13-cv-11212

Class Action Complaint

Jury Trial Demanded

**MOTION FOR CLASS CERTIFICATION
AND FINAL APPROVAL OF PROPOSED SETTLEMENT**

Plaintiff, Jacqueline Brenner, on behalf of the proposed Class and through her attorneys, Meiselman, Packman, Nealon, Scialabba & Baker P.C., hereby moves for an order certifying the Class, granting final approval of the proposed Settlement, and dismissing the Action pending before this Court. Defendant consents to this motion.

The grounds for this motion are set forth in the accompanying memorandum of law.

Dated: White Plains, New York
September 24, 2013

Respectfully submitted,

**MEISELMAN, PACKMAN, NEALON,
SCIALLABA & BAKER P.C.**

By: /s/ D. Greg Blankinship
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LOCAL RULE 7.1(a)(2) CERTIFICATE

I hereby certify that counsel for Plaintiff has conferred with Defendant's counsel in a good faith attempt to resolve or narrow the issues concerning this motion before its filing.

/s/ D. Greg Blankinship

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent via U.S. first class mail to those indicated as non-registered participants.

/s/ D. Greg Blankinship